



GABRIEL P. HARVIS
BAREE N. FETT

April 13, 2016

BY ECF

Honorable Robert M. Levy
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Cortes v. City of New York, et al.*, 14 CV 3014 (SLT) (RML)

Your Honor:

I represent plaintiff in the above-referenced civil rights action. I write to respectfully request that the Court order a rolling production and impose a date certain deadline in connection with its order dated April 6, 2016.

Plaintiff filed a motion to compel 27 discrete categories of outstanding discovery by letter dated March 22, 2016. Defendants did not respond. By letter dated April 5, 2016, plaintiff renewed his March 22nd motion and requested that it be granted as unopposed. On April 6th the Court granted plaintiff's motions in a docket entry, but no date certain was imposed for the production of the material at issue.


Defendants have not produced a single page of discovery since plaintiff filed his March 22nd letter motion and all of the documents at issue remain outstanding, many of them now the subject of two production orders (the April 6th order and the Court's prior order dated November 24, 2015). On April 27, 2016, the parties are scheduled to commence the first of 17 depositions to occur before the end of May. Plaintiff needs the outstanding material in order to conduct those depositions, and has every intention of completing discovery by the end of May without any further extensions.

Accordingly, plaintiff respectfully requests that the Court order defendants to begin a rolling production of the outstanding material forthwith, and impose a final production deadline of April 22, 2016.

Hon. Robert M. Levy
Apr. 13, 2016

Thank you for your consideration of this request.

Respectfully submitted,



Gabriel P. Harvis

cc: ACC Elissa Jacobs, Esq.